

**REMARKS**

New claims 21 and 22 have been added. Claims 3-22 are now pending.

In the Office Action, the Examiner objected to the Abstract of the specification as being not relevant to the present invention; objected to the Information Disclosure Statement filed January 5, 2004 for failing to comply with 37 CFR 1.98(a)(2); rejected claims 3-5, 9-13, 15-19 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,278,118; and provisionally rejected claims 8, 14, and 20 under the doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 09/893,586. Applicants traverse the objections and rejections, at least for the following reasons.

Applicants traverse the Examiner's indication that the Information Disclosure Statement filed on January 5, 2004, fails to comply with 37 C.F.R. 1.98(a)(2). As clearly indicated in 37 C.F.R. 1.98(d), "A copy of any patent, publication, pending U.S. application or other information, as specified in paragraph (a) of this section, listed in an information disclosure statement is required to be provided, even if the patent, publication, pending U.S. application, or other information was previously submitted to, or cited by, the Office in an earlier application, unless: (1) The earlier application is properly identified in the information disclosure statement and is relied on for an earlier effective filing date under 35 U.S.C. 120; and (2) The information disclosure statement submitted in the earlier application complies with paragraphs (a) through (c) of this section."

Thus, since the Information Disclosure Statement filed on January 5, 2004, fully complies with 37 C.F.R. 1.98(d), Applicants submit that the January 5, 2004 Information Disclosure Statement was proper and should have been considered. Accordingly, Applicants have re-listed the lined-through documents from the January 5, 2004 PTO Form 1449 on the PTO Form 1449 submitted in the Information Disclosure Statement being filed on even date herewith. Indication of consideration of these documents by initialing of the enclosed PTO Form 1449 is respectfully requested.

Applicants are submitting a substitute Abstract in replacement of the one objected to by the Examiner. Reconsideration and withdrawal of the Examiner's objection to the Abstract is respectfully requested.

Applicants enclose a Terminal Disclaimer which should obviate the obviousness-type double patenting rejections applied to various pending claims. Reconsideration and withdrawal of the obviousness-type double patenting rejections applied to claims 3-5, 8-14, and 15-20 are respectfully requested.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the objections and rejections set forth in the pending Office Action. Favorable consideration of new claims 21 and 22 is also respectfully requested.

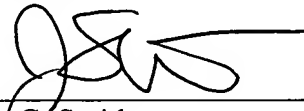
**CONCLUSION**

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants undersigned representative to expedite prosecution. A favorable action is awaited.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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